

Appl. No. 10/646,239
Attorney Docket No.: 2002B117/2
Amdt. dated November 17, 2005
Reply to Office Action of August 17, 2005

REMARKS/ARGUMENTS

This reply is intended as a full and complete response to the Office Action dated August 17, 2005. Claims 1-57 are pending in the application and stand rejected. Applicant has cancelled claims 1-55 without prejudice, preserving the right to pursue the subject matter of those claims in a continuation or divisional application. Applicant has also added new claims 58-83. Entry of the foregoing amendment and reconsideration of the claims is respectfully requested.

Claims 11-13, 24, and 31-32 are objected to. As mentioned above, claims 1-55 have been cancelled without prejudice, thereby obviating this objection.

Claims 1-57 stand rejected under 35 U.S.C. § 112, second paragraph. As mentioned above, claims 1-55 have been cancelled without prejudice, and Applicant has amended base claim 56, obviating the rejection. Specifically, Applicant has amended claim 56 to clarify any uncertainty concerning the term "second yield" by inserting the limitation "as measured according to ASTM D-882/97." The terms "first yield" and "second yield" are described in the specification in a manner to reasonably convey the meaning to one of ordinary skill in the art. See, e.g., paragraphs [0005-0006]; [0196-0198]; and [0216]. Further, those terms are defined in the ASTM D-882/97 standard as well as the ASTM documents referenced therein (e.g., ASTM D-638). Moreover, these "yields" are well known in the art and have been used in the industry for years. See, e.g., U.S. Patent No. 4,563,325, which issued in 1986. As such, withdrawal of the rejection is respectfully requested.

Claims 1-10, 21-23, 45, and 53-57 stand rejected under 35 U.S.C. § 102(b) as being unpatentable over Takahashi et al. (EP 982 362). Claims 1-22, 24-43, 45-51, and 53-55 stand rejected under 35 U.S.C. § 102(b) as being unpatentable over Lue et al. (U.S. 6,255,426). Claims 1-22, 24-43, 45-51, and 53-55 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Leu et al. in view of Wong et al. (U.S. 6,358,457). Claims 23, 44, 51, and 56-57 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Leu et al. alone or in combination with Wong et al. in view of Takahashi et al. Claims 11-20, 24-44, and 46-52 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahashi et al. in view of Leu et al.

As mentioned above, claims 1-55 have been cancelled without prejudice. Applicant has also amended base claim 56 to include the subject matter of claim 24 (now cancelled). As noted by the

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Examiner, the references of record do not teach, show, or suggest a multilayer stretch film comprising a first surface layer, a second surface layer, and a core layer disposed between the first and second surface layers, wherein the core layer comprises a polyethylene copolymer having a Compositional Distribution Breadth Index (CDBI) of at least 70%, a melt index $I_{2,16}$ of from 0.1 to 15 g/10 min., a density of from 0.910 to 0.940 g/cm³, a melt index ratio $I_{2,16}/I_{2,16}$ of from 30 to 80, and an Mw/Mn ratio of from 2.5 to 5.5, and the film having a natural draw ratio of at least 250%, a tensile stress at the natural draw ratio of at least 22 MPa, and a tensile stress at second yield of at least 12 MPa, as measured according to ASTM D-882/97, as recited in claim 56 as amended, as well as those dependent therefrom. Similarly, the references of record do not teach, show, or suggest a multilayer stretch film comprising at least one first layer, and at least one second layer, wherein any one or more layers comprises a polyethylene copolymer with a Compositional Distribution Breadth Index (CDBI) of at least 70%, a melt index $I_{2,16}$ of from 0.1 to 15 g/10 min., a density of from 0.910 to 0.940 g/cm³, a melt index ratio $I_{2,16}/I_{2,16}$ of from 30 to 80, and an Mw/Mn ratio of from 2.5 to 5.5, wherein the film has a natural draw ratio of at least 250%, a tensile stress at the natural draw ratio of at least 22 MPa, and a tensile stress at second yield of at least 12 MPa, as measured according to ASTM D-882/97; and wherein a yield plateau of the film has a linear portion with a slope of at least 0.020 MPa per % elongation, as recited in new claim 74, as well as those dependent therefrom. As such, allowance of the claims 56-83 is respectfully requested.

The secondary references made of record are noted. However, it is believed that the secondary references are no more pertinent to the Applicant's disclosure than the primary references cited in the office action. Therefore, Applicant believes that a detailed discussion of the secondary references is not necessary for a full and complete response to this office action.

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CONCLUSION

Having addressed all issues set out in the office action, Applicant respectfully submits that the pending claims are now in condition for allowance. Applicant invites the Examiner to telephone the undersigned attorney if there are any issues outstanding which have not been addressed to the Examiner's satisfaction.

Respectfully submitted,

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